UNITED
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General Assembly Security Council

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GENERAL

A/47/924
S/25579
12 April 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 45
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-eighth year

Letter dated 12 April 1993 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

On instructions by my Government, I wish to bring to your attention a provocative and criminal act perpetrated by the Turkish occupation forces in Cyprus.

In the evening of Thursday, 8 April 1993, a Turkish soldier shot and killed in cold blood a National Guardsman, Athanassios Cleovoulou, in the buffer zone of Nicosia. Cleovoulou, who was unarmed, was shot and killed in cold blood without any attempt to either arrest or warn him before shooting him. He was shot from a guardpost that is usually unmanned and this constitutes additional evidence that his murder was intentional. The Turkish occupation forces bear full responsibility for this callous act.

This murder, which comes at a time of intensive diplomatic activity for the resumption of the negotiations for the solution of the Cyprus problem, is indicative of Turkish bad faith and contributes to the deterioration of the existing climate on the eve of such negotiations.

This tragic event reaffirms the need of maintaining the United Nations Peace-keeping Force in Cyprus (UNFICYP) with its current strength and mandate, as proposed in your latest report (S/25492 of 30 March 1993).

I wish to stress in the strongest possible terms my Government's protest and condemnation of this unprovoked criminal act, which once again underlines the inherent dangers to peace and security that the continued presence of the Turkish occupation forces in Cyprus constantly poses.

I shall be grateful if the text of the present letter is circulated as a document of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) A. J. JACOVIDES
Ambassador
Permanent Representative of the
Republic of Cyprus to the
United Nations

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/47/925
14 April 1993

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 117

FINANCING OF THE UNITED NATIONS ANGOLA VERIFICATION MISSION

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/47/744), as well as an addendum (A/47/744/Add.1), which provides an update on the financing of the United Nations Angola Verification Mission (UNAVEM and UNAVEM II). During its consideration of the reports, the Advisory Committee met with representatives of the Secretary-General.

2. The Advisory Committee recalls that following the establishment of UNAVEM by the Security Council for a period of 31 months beginning 3 January 1989, the General Assembly appropriated amounts totalling $19,401,300 gross ($18,802,300 net) for the operation of UNAVEM by its resolutions 43/231 of 16 February 1989, 44/190 of 21 December 1989 and 45/246 of 21 December 1990.

3. As at 31 May 1991, UNAVEM had accomplished the mandate entrusted to it approximately two months before the end of its mandate period. The Security Council then decided to establish UNAVEM II for a period of 17 months, i.e. from 1 June 1991 to 31 October 1992. By its resolutions 45/269 of 27 August 1991 and 46/195 A and B of 20 December 1991 and 31 July 1992 respectively, the General Assembly appropriated further amounts of $49,467,000 gross ($49,132,900 net) for the seven-month period ending 31 December 1991, and $42,876,720 gross ($42,062,000 net) and $15 million gross ($14 million net) for the mandate period ending 31 October 1992.

4. Following a recommendation by the Secretary-General, the Security Council, by its resolution 785 (1992) of 30 October 1992, approved the extension of the existing mandate of UNAVEM II for an interim period, until 30 November 1992. By its resolution 793 (1992) of 30 November 1992, the Council extended the mandate of UNAVEM II for a further period of two months until 31 January 1993, and by its resolution 804 (1993) of 29 January 1993, the Council decided further to extend the mandate of UNAVEM II until 30 April 1993.

5. The General Assembly, by its decision 47/450 of 22 December 1992, authorized the Secretary-General to enter into commitments up to the amount of $25,258,800 gross ($24,218,000 net) for the period from 1 November 1992 to 28 February 1993; it also decided that this amount should be apportioned among Member States in accordance with resolution 47/41 of 1 December 1992.

6. The status of assessed contributions since the inception of the operation on 3 January 1989 up to 28 February 1993, taking into account the commitment authorization of $25,258,800 gross ($24,218,000 net), is given in paragraph 11 of the addendum to the report of the Secretary-General (A/47/744/Add.1).

7. The performance report of UNAVEM II for the period 1 January to 31 October 1992 is shown in annexes I and II of the main report (A/47/744). The Advisory Committee notes from paragraphs 3 and 13 of the addendum that an additional appropriation of $1,260,400 gross and net, based on the authorization provided by the General Assembly in its decision 47/450, is required in respect of this mandate period. As a result, total appropriation for the 10-month period would amount to $59,137,100 gross ($57,322,400 net) (see paras. 3 and 5 above).

8. The performance report for the period 1 November 1992 to 28 February 1993 is shown in annexes I and II to the addendum. The Advisory Committee notes that annex I sets out by budget line the initial appropriation of $23,998,400 gross ($22,957,600 net) provided to UNAVEM II (see paras. 5 and 7 above) and the related expenditure of $20,194,300 gross ($19,465,700 net) for the period.

9. The Secretary-General requests the General Assembly to appropriate, for the period 1 November 1992 to 28 February 1993, an amount of $25,258,800 gross ($24,218,000 net), inclusive of the supplemental appropriation of $1,260,400 gross and net for the period ending 31 October 1992, authorized and apportioned under the terms of General Assembly decision 47/450. The Advisory Committee agrees with the Secretary-General's request.

10. The Advisory Committee notes from paragraph 15 of the addendum that the cost estimates for the period 1 March to 30 April 1993 take into consideration the reduced deployment of military and civilian personnel of UNAVEM II, based on the revised responsibilities of the operation in accordance with Security Council resolution 804 (1993). Supplementary information on the cost estimates for the two-month period is given in annex IV of the addendum.

11. A summary of the resources provided to UNAVEM II for the four-month period from 1 November 1992 to 28 February 1993 and the related requirements covering the six-month period from 1 November 1992 to 30 April 1993 is given in annex V of the addendum. It reflects a net additional requirement amounting to $1,518,400 gross ($1,632,400 net) for the period ending 30 April 1993. As stated in paragraph 16 of the addendum, the net amount is higher than the gross amount by $114,000 as a result of the savings realized under staff assessment and relates to the reduction in civilian staff costs for the period ending 28 February 1993.

12. The Secretary-General proposes that this additional requirement be met by an appropriation in the amount of $1,518,400 gross ($1,632,400 net) and the apportionment thereof in accordance with paragraphs 7 and 8 of General Assembly

resolution 47/224 A of 16 March 1993. The Secretary-General also proposes the crediting of these same amounts to Member States for the period from 1 March to 30 April 1993 from the total unencumbered balance of $4,874,700 gross ($4,540,500 net). The Advisory Committee does not object to the Secretary-General's proposals in this regard.

13. The Advisory Committee notes that the Secretary-General also proposes that, should the Security Council decide to extend the mandate of UNAVEM II beyond 30 April 1993, an appropriation and/or commitment authorization, as appropriate, be provided for the maintenance of UNAVEM II at a monthly rate of $2,661,250 gross ($2,562,150 net) and for the apportionment thereof, with the prior concurrence of the Advisory Committee. The Advisory Committee concurs in the Secretary-General's proposal.

14. Annex VIII, section A, of the addendum shows the total resources made available to UNAVEM from its inception on 3 January 1989 to 28 February 1993 as $152,003,800 gross ($148,215,200 net). The operating costs for the same period are shown as $145,707,400 gross ($142,323,400 net), with an unencumbered balance of $4,874,700 gross ($4,540,500 net) after credits to Member States in the amount of $1,421,700 gross ($1,351,300 net).

15. As shown in section B of the same annex, there is an operating deficit of $26,476,300 in the Special Account for UNAVEM. The Advisory Committee notes from paragraph 23 of the updated report of the Secretary-General (A/47/744/Add.1), that in order to meet the operating cash requirements of UNAVEM II, loans amounting to $6.2 million, in addition to loans of $9.7 million from the Special Account for UNTAG as indicated in paragraph 29 of the main report, have been made to UNAVEM II from the Peace-keeping Reserve Fund; thus the total amount loaned to UNAVEM II is $15.9 million.

16. In view of this situation, and the information reflected in paragraph 11 of the Secretary-General's report with regard to outstanding assessed contributions, the Advisory Committee concurs in the Secretary-General's proposal for the retention of the unencumbered balance of appropriations and interest and miscellaneous income in the Special Account for UNAVEM, after crediting Member States with the amounts as mentioned in paragraph 13 above. In this connection, with regard to the considerably large ($15.9 million) loans made to UNAVEM II, the Advisory Committee requests that every effort be made to repay the amount as quickly as possible.

17. In its resolution 45/265 of 17 May 1991, the General Assembly approved special arrangements for the United Nations Transition Assistance Group (UNTAG), by which appropriations required in respect of obligations owed to Governments providing contingents and/or logistic support to the operation would be retained beyond the period stipulated under financial regulations 4.3 and 4.4. Having cited other such examples in paragraph 25 of the main report, in paragraph 27 of the report, the Secretary-General proposes that the standing decision, as contained in resolution 45/265, be extended and applied to UNAVEM II. The Advisory Committee recommends acceptance of this proposal.

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General Assembly Security Council

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A/47/926
S/25589
13 April 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 111
SCALE OF ASSESSMENTS FOR THE
APPORTIONMENT OF THE EXPENSES
OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-eighth year

Letter dated 13 April 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

Regarding the letter of the Permanent Representative of Croatia to the United Nations of 31 March 1993 (A/47/921-S/25513), I have the honour to point out the following:

The Permanent Representative of Croatia regrettably took advantage of the letter of the Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia concerning the assessed contribution of the Federal Republic of Yugoslavia to the United Nations budget (A/C.5/47/91) to advance a series of erroneous interpretations and unfounded allegations concerning the status of Yugoslavia in the United Nations.

In this connection, I would like to recall that, in the opinion of the United Nations Legal Counsel (A/47/485, annex) of 29 September 1992, it was stated, inter alia, that "resolution [47/1] neither terminates nor suspends Yugoslavia's membership in the Organization" and that "the resolution does not take away the right of Yugoslavia to participate in the work of organs other than Assembly bodies".

Evidently, the Permanent Representative of Croatia is not aware of the fact that a decision to suspend someone cannot refer to a non-member State. The "entity", as implied by the distinguished Ambassador, cannot and does not pay any contribution to the United Nations budget at all, particularly not the one he refers to as "Federal Republic of Yugoslavia (Serbia and Montenegro)".

Moreover, the status and continuing membership of the Federal Republic of Yugoslavia in the United Nations is also evidenced by decision 47/456 of

23 December 1992, by which the General Assembly, in adopting the recommendation of the Committee on Contributions, determined a new reduced rate of contribution for the Federal Republic of Yugoslavia to the United Nations budget.

There is no need to read between the lines to comprehend that the Minister wrote on behalf of our country, which you have properly referred to as the Federal Republic of Yugoslavia, when addressing him in order to settle its part of the contribution to the United Nations budget and, as you may observe, not for a moment implied that the Federal Republic of Yugoslavia was the sole successor to the Socialist Federal Republic of Yugoslavia. This is also affirmed by the active participation of the Federal Republic of Yugoslavia in the International Conference on the Former Yugoslavia in resolving issues arising from succession of the former Yugoslavia.

In singling out only one view on the status of Yugoslavia in the United Nations, the Permanent Representative of Croatia did not take into account other relevant opinions on this issue. However, the only binding decisions on this matter are those already adopted by the Security Council and the General Assembly.

I should be grateful if you would have this letter circulated as an official document of the General Assembly, under agenda item 111, and of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

UNITED
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General Assembly

Distr.
GENERAL

A/47/927
15 April 1993

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 124

ADMINISTRATIVE AND BUDGETARY ASPECTS OF THE FINANCING OF THE UNITED NATIONS PEACE-KEEPING OPERATIONS

Note verbale dated 13 April 1993 from the Permanent Mission of Ukraine to the United Nations addressed to the Secretary-General

The Permanent Mission of Ukraine to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to forward herewith the note of the Ministry of Foreign Affairs of Ukraine, dated 7 April 1993, which draws attention to the necessity at an earliest possible occasion to relocate Ukraine from group (b) to group (c), in the scheme of the apportionment of the costs of the United Nations peace-keeping operations (see annex).

Owing to its previous membership in the United Nations together with the Union of Soviet Socialist Republics, Ukraine is now one of the only two former republics of the USSR still placed in group (b) in the scheme of the apportionment of the costs of the United Nations peace-keeping operations, although all the newly independent States that were admitted to the United Nations after the disintegration of the USSR were rightly included in group (c).

The Permanent Mission of Ukraine to the United Nations would be grateful if the text of the present note and its annex would be circulated as an official document of the resumed forty-seventh session of the General Assembly under agenda item 124.

ANNEX

Note dated 7 April 1993 from the Ministry of Foreign Affairs of Ukraine to the Secretary-General

The Ministry for Foreign Affairs of Ukraine presents its compliments to the Secretary-General of the United Nations and, with reference to paragraphs 1 to 9 of his report to the forty-seventh session of the United Nations General Assembly on agenda item 124, entitled "Administrative and budgetary aspects of the financing of the United Nations peace-keeping operations" (A/47/484), kindly draws attention to some significant facts connected with the allocation of Ukraine into group (b) of the scheme of the apportionment of the costs of the United Nations peace-keeping operations.

Ukraine was placed into group (b) in 1973, as set out in General Assembly resolution 3101 (XXVIII). Since then, a series of negative changes have taken place in its economy, especially recently.

Today, Ukraine is experiencing an extremely complicated period of its history. Real indices of its national income and per capita income reflect a sharp drop in living standards in the country. During 1992, national income has dropped by 14 per cent, industrial output has been reduced by 9.0 per cent, the deficit of the consolidated budget of Ukraine has amounted to 9.1 per cent of its gross national product (GNP), the volume of exports (except for countries of the Commonwealth of Independent States (CIS) has dropped by 38 per cent, the rate of inflation has mounted up to approximately 2,000 per cent and the investment process has practically stopped.

Grave economic difficulties connected with the formation of Ukraine as an independent State, deep political and economic reforms in the country and expenses in multi-billions to reduce the aftermath of the Chernobyl Nuclear Power Plant accident affect its capacity to pay.

Apart from that, Ukraine suffers serious economic damage caused by its observation of the United Nations Security Council resolutions enforcing sanctions against the Federal Republic of Yugoslavia.

It should also be noted that an unreal, unreasonably raised exchange rate of roubles against United States dollars has been used to determine the assessment of Ukraine.

However, Ukraine has still been placed into group (b) - economically developed Member States - and not into group (c) - economically less developed Member States - whereas its per capita national income is lower than that of the countries allocated into group (c), including European countries.

Ukraine has always sought to meet its financial obligations to the United Nations under the Charter of the United Nations. The delay in payments by Ukraine for financing of the United Nations peace-keeping forces is connected directly with the aforesaid negative processes taking place in the economy of Ukraine.

With regard to the above-mentioned facts, the Government of Ukraine supports the proposals made at the forty-seventh session of the General Assembly concerning reallocation of Member States into groups according to their per capita income averages, and submits its request to the General Assembly at its resumed forty-seventh session and at its forty-eighth session that changes in the existing system of financing of the United Nations peace-keeping operations be effected and that an opportunity to move Ukraine from group (b) to group (c) be found.

The Ministry for Foreign Affairs of Ukraine believes that, considering the above facts, its request will be regarded positively.

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General Assembly Security Council

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A/47/928
S/25628
19 April 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 45
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-eighth year

Letter dated 19 April 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the letter addressed to you by Mr. Mustafa Kemal Gökeri, Chargé d'affaires a.i., of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex would be circulated as a document of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) Tahsin BURCUOĞLU
Deputy Permanent Representative
Chargé d'affaires a.i.

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ANNEX

Letter dated 16 April 1993 from Mr. Mustafa Kemal Gökeri
to the Secretary-General

On instructions from my Government, I have the honour to respond to the letter dated 12 April 1993 addressed to you by Mr. A. J. Jacovides, the Greek Cypriot representative, which was circulated as document A/47/924-S/25579 of the same date. This letter is replete with distortions and is a gross misrepresentation of facts pertaining to the recent incidents which occurred at our borders.

In his letter, Mr. Jacovides claims that it was the Turkish forces who were responsible for the shooting incident that took place in the evening of 8 April 1993, whereas this is not so. As is also well known to the United Nations Peace-keeping Force in Cyprus (UNFICYP), the area in question is under the responsibility of the Turkish Cypriot Security Forces.

Regarding the development of this unfortunate incident itself, the facts are as follows:

At 1835 hours local time that evening, two Greek Cypriot National Guard soldiers came out of an empty house in the United Nations-controlled buffer zone and started advancing towards the Turkish Cypriot positions in the "Caglayan" area, in clear violation of the buffer zone. They were spotted by a Turkish Cypriot soldier on guard duty at the sentry post nearby, which, contrary to what Mr. Jacovides claims, is permanently manned.

The Turkish Cypriot soldier on guard duty warned the Greek Cypriot intruders, first by shouting at them in English to stop and then by firing a warning shot into the air. In spite of these warnings, however, the Greek Cypriot soldiers kept advancing towards the Turkish Cypriot positions and actually reached our defence lines. When the shooting incident occurred, the Greek Cypriot soldier was within 5 metres of the Turkish Cypriot guard and clearly constituted a threat to him. The other Greek Cypriot soldier subsequently fled the area, and the body of the shot soldier was removed by UNFICYP authorities, who had come to the area soon afterwards, and was turned over to the Greek Cypriot authorities.

In this context, I would also like to bring to your kind attention an article published in the Greek Cypriot daily Cyprus Mail of 13 April 1993, under the heading "Retaliation not always justified", in which it is stated that "the guardsman was disobeying army orders by wandering into the buffer zone ...".

The Greek Cypriot side immediately started exploiting the incident and engaged in provocative activities. The next day, a large demonstration was held in the Greek Cypriot sector of Nicosia. A group of demonstrators later entered the buffer zone and blocked all traffic between the two sides at the Ledra Palace border gate.

On Sunday, 11 April 1993, Greek Cypriot National Guard soldiers again violated the buffer zone in the Famagusta area, by penetrating 200 to 300 metres

into it, and opened fire at the Turkish Cypriot positions causing extensive damage. This was clearly a deliberate and organized attack and it is interesting that no mention of it is made in Mr. Jacovides' letter.

I would like to emphasize that those provocative actions of the Greek Cypriot side further aggravate the existing lack of trust and confidence between the two sides, which is also mentioned in Your Excellency's latest report on your mission of good offices in Cyprus. We urge the Greek Cypriot side to exercise restraint and common sense and to avoid actions which adversely affect inter-communal peace and tranquillity.

I would be grateful if this letter were circulated as a document of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) Mustafa Kemal GÖKERI
Chargé d'affaires a.i.

UNITED
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General Assembly

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A/47/929
19 April 1993
ENGLISH
ORIGINAL: SPANISH

Forty-seventh session
Agenda item 17 (j)

APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS

Appointment of members and alternate members of the United Nations Staff Pension Committee

Report of the Fifth Committee

Rapporteur: Mr. Jorge OSELLA (Argentina)

1. At its 65th meeting, on 19 April 1993, the Fifth Committee considered a note by the Secretary-General (A/47/907) advising the General Assembly of the resignation of an alternate member of the United Nations Staff Pension Committee, requiring the appointment at the forty-seventh session of a person to fill the unexpired portion of the term of office of the member who had resigned, that is, until 31 December 1994.

2. The Fifth Committee also had before it a note by the Secretary-General (A/47/907/Add.1) containing the name of a person nominated by his Government for appointment to the United Nations Staff Pension Committee to fill the unexpired portion of the term of office of the member who had resigned.

3. The Fifth Committee decided, by acclamation, to recommend to the General Assembly that it should appoint Mr. Tarak Ben Hamida (Tunisia) as an alternate member of the United Nations Staff Pension Committee for a term of office beginning on _____ 1993 1/ and ending on 31 December 1994.

RECOMMENDATION OF THE FIFTH COMMITTEE

4. The Fifth Committee recommends that the General Assembly should appoint Mr. Tarak Ben Hamida as an alternate member of the United Nations Staff Pension Committee for a term of office beginning on _____ 1993 1/ and ending on 31 December 1994.

Notes

1/ Date of adoption of the decision by the General Assembly.

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NATIONS

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General Assembly

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A/47/930
19 April 1993
ENGLISH
ORIGINAL: SPANISH

Forty-seventh session
Agenda items 22 and 104

THE SITUATION OF DEMOCRACY AND HUMAN RIGHTS IN HAITI

PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993

Programme budget implications of draft resolution A/47/L.56

Report of the Fifth Committee

Rapporteur: Mr. Jorge OSELLA (Argentina)

1. At its 65th meeting, on 19 April 1993, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/47/93) on the programme budget implications of draft resolution A/47/L.56, relating to the situation of democracy and human rights in Haiti. The Fifth Committee had before it the related report of the Advisory Committee on Administrative and Budgetary Questions (A/47/7/Add.17).

2. Statements and comments made in the course of the Committee's consideration of this item are reflected in the relevant summary record (A/C.5/47/SR.65).

DECISION OF THE FIFTH COMMITTEE

3. The Fifth Committee decided, without a vote, to inform the General Assembly that, should it adopt the draft resolution contained in document A/47/L.56, there will be the need for an expenditure of up to 19,112,600 United States dollars and the Secretary-General should be authorized to enter into further commitments of up to 18.1 million dollars; that, as an exceptional measure, the level of regular budget appropriations for the year 1993 and any possible additional assessment for the regular budget for the current biennium will be determined in the light of a report of the Secretary-General to be presented to the General Assembly in September 1993; that the trust fund for Haiti should be administered in accordance with the recommendations and observations of the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions; and that Member States should be invited to respond positively to the appeal by the Secretary-General for voluntary contributions.

4. After the decision, a statement in explanation of position was made by the representative of the United Kingdom of Great Britain and Northern Ireland.

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GENERAL

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S/25657
23 April 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 15 (c)
ELECTIONS TO FILL VACANCIES IN PRINCIPAL ORGANS: ELECTION OF A MEMBER OF THE INTERNATIONAL COURT OF JUSTICE

SECURITY COUNCIL
Forty-eighth year

Memorandum by the Secretary-General

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III.	PROCEDURE IN THE GENERAL ASSEMBLY AND IN THE SECURITY COUNCIL	7 - 18	3

I. INTRODUCTION

1. By a communication dated 14 January 1993, the Registrar of the International Court of Justice informed the Secretary-General of the death of Judge Manfred Lachs (Poland) on that date, and of the resulting occurrence of a vacancy in the Court. Judge Lachs became a member of the Court on 6 February 1967, was re-elected as from 6 February 1976 and again as from 6 February 1985. His present term of office would have ended on 5 February 1994. According to Article 14 of the Statute of the Court, the vacancy must be filled by the same method as that laid down for the regular election and the Secretary-General is required, within one month of the occurrence of the vacancy, to issue invitations for nominations provided for in Article 5. According to Article 5, the invitations for nominations have to be made at least three months before the date of the election, which is, pursuant to Article 14, to be fixed by the Security Council.

2. The Secretary-General informed the President of the Security Council by a letter dated 19 January 1993 of the death of Judge Manfred Lachs. By a note dated 1 February 1993 addressed to the Security Council, 1/ the Secretary-General drew its attention to Article 14 of the Statute of the Court regarding fixing the date of the election to fill the vacancy in the International Court of Justice. Pursuant to Article 14 of the Statute of the Court, the Security Council decided by resolution 805 (1993) of 4 February 1993 that the election to fill the vacancy should take place on 10 May 1993, at a meeting of the Security Council and at a meeting of the General Assembly at its forty-seventh session. The Assembly was also informed of the vacancy and of the decision of the Council (A/47/884). Pursuant to rule 15 of its rules of procedure, the Assembly decided to include an additional sub-item in the agenda of its forty-seventh session entitled "Election of a member of the International Court of Justice" (item 15 (c)).

3. Pursuant to Article 5, paragraph 1, of the Statute of the Court, the Secretary-General, in a communication dated 4 February 1993, invited the national groups of States parties to the Statute of the Court to undertake the nomination of persons in a position to accept the duties of a member of the Court. The Secretary-General further requested that nominations should be received no later than 4 May 1993. A list of the nominations received by that date and the curricula vitae of the candidates received will be transmitted in separate documents to the General Assembly and the Security Council. The names of the candidates will appear on the ballot papers to be distributed during the election.

4. Article 15 of the Statute of the Court provides that a member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term. The member elected to replace Judge Manfred Lachs will thus serve until 5 February 1994.

5. The present composition of the Court and the procedure in the General Assembly and the Security Council for filling the vacancy are described below.

II. COMPOSITION OF THE INTERNATIONAL COURT OF JUSTICE

6. The present composition of the International Court of Justice is as follows:

President: Sir Robert Yewdall Jennings (United Kingdom of Great Britain and Northern Ireland)***

Vice-President: Shigeru Oda (Japan)*

Judges: Roberto Ago (Italy)**
Stephen M. Schwebel (United States of America)**
Mohammed Bedjaoui (Algeria)**
Ni Zhengyu (China)*
Jens Evensen (Norway)*
Nikolai Tarassov (Russian Federation)**
Gilbert Guillaume (France)***
Mohammed Shahabuddeen (Guyana)**
Andrés Aguilar Mawdsley (Venezuela)***
Christopher G. Weeramantry (Sri Lanka)***
Raymond Ranjeva (Madagascar)***
Bola Ajibola (Nigeria)*

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* Term of office expires on 5 February 1994.

** Term of office expires on 5 February 1997.

*** Term of office expires on 5 February 2000.

III. PROCEDURE IN THE GENERAL ASSEMBLY AND IN THE SECURITY COUNCIL

7. The election will take place in accordance with the following provisions:

(a) The Statute of the Court, in particular Articles 2 to 4, 7 to 12 and 14;

(b) Rules 150 and 151 of the rules of procedure of the General Assembly;

(c) Rules 40 and 61 of the provisional rules of procedure of the Security Council.

8. In accordance with General Assembly resolution 264 (III) of 8 October 1948, Nauru and Switzerland, which are parties to the Statute of the Court but not Members of the United Nations, have been invited to participate in the Assembly in electing members of the Court in the same manner as the States Members of the United Nations.

9. On the date of the election, the General Assembly and the Security Council will proceed, independently or one another, to elect a member of the Court to fill the vacancy (Art. 8 of the Statute).

10. According to Article 2 of the Statute, judges are to be elected, regardless of their nationality, from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law. Article 9 requires electors to bear in mind not only that the person to be elected should individually possess the qualifications required, but also that in the body as a whole the representation of the main forms of civilization and of the principal legal systems of the world should be assured.

11. The candidate who obtains an absolute majority of votes both in the General Assembly and in the Security Council will be considered as elected (Art. 10, para. 1, of the Statute).

12. The consistent practice of the United Nations has been to interpret the words "absolute majority" as meaning a majority of all electors. The electors in the General Assembly are all the Member States, together with the two non-member States mentioned in paragraph 8 above that are parties to the Statute of the Court. Accordingly, as at the date of the present memorandum, 92 votes constitute an absolute majority in the Assembly for the purpose of the Court election.

13. In the Security Council, eight votes constitute an absolute majority and no distinction is made between permanent and non-permanent members of the Council (Art. 10, para. 2, of the Statute).

14. Only those candidates whose names appear on the ballot papers are eligible for election. The electors in the General Assembly and in the Security Council will indicate the candidate for whom they wish to vote by placing a cross against the name on the ballot paper. Each elector may vote for only one candidate.

15. If in the first ballot in either the General Assembly or the Security Council no candidate receives an absolute majority, a second ballot will be held and balloting will continue in the same meeting until a candidate has obtained the required majority (rule 151 of the rules of procedure of the Assembly and rule 61 of the provisional rules of procedure of the Council).

16. When a candidate has obtained the required majority in one of the organs, the President of that organ will notify the President of the other organ of the name of that candidate. Such notification is not communicated by the President of the second organ to the members until that organ has itself given a candidate the required majority of votes.

17. If, upon comparison of the name of the candidate so selected by the General Assembly and by the Security Council, it is found that the result is different, the Assembly and the Council will proceed, again independently of one another, in a second meeting and, if necessary, a third meeting, to elect one candidate by further ballots, the results against being compared after one candidate has

obtained an absolute majority in each organ. If necessary, the above procedure will be repeated until the Assembly and the Council have given an absolute majority of votes to the same candidate.

18. If, however, after the third meeting the vacancy still remains unfilled, the special procedure set out in Article 12 of the Statute of the Court may be resorted to at the request of either the General Assembly or the Security Council.

Notes

1/ S/25224.

UNITED
NATIONS

A

General Assembly

Distr
GENERAL

A/47/932
28 April 1993
ENGLISH
ORIGINAL: SPANISH

Forty-seventh session
Agenda items 103 and 104

REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993

Report of the Fifth Committee (Part II)

Rapporteur: Mr. Jorge OSELLA (Argentina)

I. INTRODUCTION

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda items 103 and 104 appear in the reports of the Committee (A/47/830 and A/47/835, respectively).

2. The Fifth Committee further considered the items at its 59th to 62nd, and 66th meetings, on 29 to 31 March and 21 April 1993. The Committee had before it the report of the Secretary-General on the revised estimates resulting from the restructuring of the Secretariat (A/C.5/47/88) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/47/7/Add.15), and a letter from the Chairman of the Committee on Conferences transmitting the views of that Committee (A/C.5/47/92).

3. The comments and observations made in the course of the Committee's further consideration of these items are reflected in the relevant summary records (A/C.5/47/SR.59-62 and 66).

II. CONSIDERATION OF PROPOSALS

4. At the 66th meeting, on 21 April 1993, the Vice-Chairman, following informal consultations, introduced and orally revised a draft resolution (A/C.5/47/L.36).

5. At the same meeting, the Committee adopted draft resolution A/C.5/47/L.36, as orally revised, without a vote (see para. 10).

6. Statements in explanation of position were made by the representatives of Austria, Denmark (on behalf of the members of the European Community), Algeria, Hungary, the United States of America, Sweden (on behalf of the Nordic countries), Brazil, Australia, Egypt, the United Kingdom of Great Britain and Northern Ireland, Japan, Canada, Tunisia, the Netherlands, China, Sri Lanka, Ghana and Zimbabwe (see A/C.5/47/SR.66).

7. At the 66th meeting, the Vice-Chairman submitted a draft decision under agenda item 103, Review of the efficiency of the administrative and financial functioning of the United Nations, which had been elaborated following informal consultations. The draft decision read as follows:

"The General Assembly,

"Recalling its resolution 45/249 on conditions of service, and compensation for officials, other than Secretariat officials, serving the General Assembly, which, inter alia, reaffirmed that the conditions of service of officials, other than Secretariat officials, serving the General Assembly shall be separate and distinct from those of officials of the Secretariat;

"Noting that the staff rules and regulations are not therefore necessarily applicable to these officials;

"Requests the Secretary-General to provide appropriate background information to be considered at its forty-eighth session."

8. At the same meeting, the Committee adopted the draft decision submitted by the Vice-Chairman without a vote (see para. 11).

9. Statements in explanation of position were made by the representatives of the United Kingdom of Great Britain and Northern Ireland, Brazil, Algeria, Austria, China, the United States of America, Nigeria, Portugal, Ghana, Zimbabwe and Kenya (see A/C.5/47/SR.66).

III. RECOMMENDATIONS OF THE FIFTH COMMITTEE

10. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Review of the efficiency of the administrative and financial functioning of the United Nations programme budget for the biennium 1992-1993

B

The General Assembly,

Recalling its resolutions 41/213 of 19 December 1986, 42/211 of 21 December 1987, 43/213 of 21 December 1988, 44/200 and 44/201 of 21 December 1989, S-18/3 of 1 May 1990, 45/199, 45/248, 45/253 and 45/254 of

21 December 1990, 45/264 of 13 May 1991, 46/232 of 2 March 1992, 46/235 of 13 April 1992, 47/199 of 22 December 1992 and 47/212 and 47/213 of 23 December 1992,

Reaffirming the functions and powers of the General Assembly in considering and approving the budgets of the Organization, and, in this context, its role with regard to the structure of the Secretariat and the creation, suppression and redeployment of posts financed from the regular budget of the Organization,

Reaffirming also the responsibilities of the Secretary-General as Chief Administrative Officer of the Organization,

Recalling the Financial Regulations and Rules and the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation,

Reaffirming the priorities set out in the medium-term plan for the period 1992-1997 as revised and approved under the terms of its resolution 47/214 of 23 December 1992,

Noting that New York is the Headquarters and a centre of the United Nations and that there are currently three additional United Nations centres at Geneva, Nairobi and Vienna,

Having considered the report of the Secretary-General on the revised estimates as requested by the General Assembly in resolution 47/212, 1/

Having also considered the report of the Advisory Committee on Administrative and Budgetary Questions, 2/

Having further considered the letter of the Chairman of the Committee on Conferences to the Chairman of the Fifth Committee, 3/

Taking into account the views expressed by Member States,

I

1. Approves a revised appropriation of 2,467,458,200 United States dollars for the biennium 1992-1993 as a result of the restructuring;

2. Also approves, subject to the provisions contained in sections I, II and III of the present resolution, the proposals for transfers of resources among sections, as set out in the annex to the present resolution, and concurs with the recommendations and observations of the Advisory Committee on Administrative and Budgetary Questions;

1/ A/C.5/47/88.

2/ A/47/7/Add.15.

3/ A/C.5/47/92.

3. Further approves the proposals of the Secretary-General with regard to high-level posts, subject to the following modifications:

(a) Decides to defer action on the proposal of the Secretary-General to abolish the four high-level posts in the Department of Administration and Management and in this regard requests the Secretary-General to reconsider his proposals relating to these posts with a view to ensuring that the most senior officials of that Department have a degree of authority that is equivalent to the most senior officials in other areas of the United Nations, taking into account the observations and recommendation of the Advisory Committee and the views expressed by Member States;

(b) Requests the Secretary-General to pursue as a matter of urgency his efforts to agree with the Director-General of the General Agreement on Tariffs and Trade on a prompt appointment to the post of Executive Director of the International Trade Centre UNCTAD/GATT at its present level;

(c) Decides to defer action on the proposal of the Secretary-General to abolish the post of Under-Secretary-General of the United Nations Centre for Human Settlements (Habitat) and requests him to reconsider his proposal and to report in the context of the programme budget for the biennium 1994-1995 on future secretariat support arrangements for the United Nations Environment Programme and Habitat, including the question of separate senior management arrangements for Habitat, taking into account the views and recommendations of the Commission on Human Settlements, the Governing Council of the United Nations Environment Programme and the Economic and Social Council and the views expressed by Member States;

II

4. Stresses again the need for a timely dialogue between Member States and the Secretary-General on the process of the restructuring of the Secretariat;

5. Emphasizes that the restructuring of the Secretariat should be carried out in accordance with the guidance given by the General Assembly, as well as by the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation and the Financial Regulations and Rules;

6. Stresses the importance of effective coordination of the activities of the departments and units responsible for economic and social issues, and notes the intention of the Secretary-General to devote his personal attention to this task and to establish appropriate internal coordination mechanisms for this purpose, special attention being given to the promotion of greater coordination and complementarity in the respective activities of the United Nations, including Headquarters departments, the United Nations Conference on Trade and Development and the United Nations Development Programme, in particular in support of the programmes on Africa and the least developed countries;

7. Reiterates the need for the full and effective implementation of all programmes and subprogrammes as set out in the medium-term plan for the period 1992-1997, the revisions thereto, the programme budget and other relevant

mandates of the General Assembly, in accordance with the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation;

8. Notes the indication by the Secretary-General that the further restructuring of the Secretariat in the economic and social sectors would entail the decentralization of activities to the field and to the regional commissions and stresses that his proposal relating to decentralization of activities to the field should be in accordance with resolution 47/199 and those relating to the regional commissions in accordance with the criteria agreed by the General Assembly and the Economic and Social Council within their respective mandates and on the basis of clearly identified relative advantage;

9. Also notes that the modalities of the proposed integration of the Office for Project Services into the Department of Development Support and Management Services will first be considered by the Governing Council of the United Nations Development Programme and subsequently by the General Assembly in the light of a report of the Secretary-General on the work of the task force mentioned in paragraph 103 of his report, 1/ which will include the relevant financial aspects;

10. Invites the relevant intergovernmental bodies to report as soon as possible to the General Assembly, through the Committee on Conferences, on the overall implications of applying General Assembly resolution 40/243 of 18 December 1985 to the venues of intergovernmental bodies whose secretariats are affected by the current restructuring;

11. Requests the Secretary-General, in the context of the current overall restructuring process and taking into account the need to improve the effectiveness and efficiency of the Organization in accordance with the principles contained in resolution 46/232, to review the role of the United Nations headquarters, centres, regional commissions and in the field, in particular Vienna and Nairobi, with a view to improving the distribution of responsibilities among them, on the basis of their relative advantages;

12. Welcomes in this connection the intention of the Secretary-General, as expressed in paragraph 19 of his report, to consider the relocation of activities in order to provide a clearer purpose for each of the United Nations programmes and sharpen the substantive focus of each of the centres, and requests him to present, in accordance with the principles and guidelines contained in resolution 46/232, adequate proposals in the context of the proposed programme budget for the biennium 1994-1995 to reflect the status of Nairobi;

13. Also welcomes in this connection the intention of the Secretary-General, as expressed in paragraph 67 of his report, to identify, on the basis of the approaches underlying the current restructuring exercise, activities that would, in accordance with the principles and guidelines contained in resolution 46/232, benefit from a relocation to Vienna and requests him to present adequate proposals in the context of the proposed programme budget for the biennium 1994-1995;

14. Requests the Secretary-General to ensure that any future proposals relating to major changes in the organization of the Secretariat include a timetable for their implementation and, to the extent possible, are submitted in the context of the biennial proposed programme budgets;

15. Reiterates in this context its request to the Secretary-General contained in paragraph 10 of resolution 47/212 to provide the Committee on Programme and Coordination and other concerned intergovernmental bodies with all relevant information to enable them to identify and analyse the programmatic aspects and consequences of the restructuring of the Secretariat in their areas of competence;

III

16. Endorses the commitment of the Secretary-General to strengthen the role of the United Nations in international economic and social cooperation through, inter alia, the restructuring of the Secretariat;

17. Notes the commitment of the Secretary-General to ensure that the integration of activities resulting from his restructuring proposals, including the creation of the Department for Policy Coordination and Sustainable Development, the Department for Economic and Social Information and Policy Analysis and the Department of Development Support and Management Services will lead to improved programme delivery as well as economies of scale;

18. Requests the Secretary-General to provide for the General Assembly at its forty-eighth session detailed and clearly identifiable information on all costs and savings achieved during the biennium 1992-1993 as a result of the first and second phases of the restructuring of the Secretariat;

19. Also requests the Secretary-General, in implementing the restructuring of the Secretariat and in preparing his proposed programme budget for the biennium 1994-1995 on the basis, inter alia, of General Assembly resolution 47/213:

(a) To take fully into account the results of the intergovernmental review called for in paragraph 10 of General Assembly resolution 47/212 and the implementation of the revisions to the programme budget for the biennium 1992-1993 associated with the restructuring process;

(b) To provide adequate resources and to identify clearly units, at appropriate levels, for the implementation of all programmes and activities, including those involved in the current phase of restructuring, in particular the programmes on the development of Africa, the least developed countries, transnational corporations, science and technology for development and social development, the newly mandated activities on the protection of global climate and the elaboration of an international convention to combat desertification, particularly in Africa;

(c) To strengthen the coordination of the activities on science and technology with the United Nations Development Programme for better management of the Fund for Science and Technology for Development;

(d) To ensure that all activities related to transnational corporations are kept integrated;

(e) To review the proposed activities of the new organizational entities in order to ensure that they meet the concerns expressed in paragraphs 9 and 24 of the report of the Advisory Committee on Administrative and Budgetary Questions and to reflect the outcome of this review in the proposed programme budget for the biennium 1994-1995, taking into account the fact that the presence, representation and functions of the United Nations in the field are defined in the relevant resolutions of the General Assembly;

(f) To propose improvements in programme delivery and the termination of activities considered obsolete or redundant for the consideration of the relevant intergovernmental bodies, in accordance with regulation 4.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation;

(g) To elaborate further his proposals with respect to the Department of Administration and Management and the Department of Public Information, taking fully into account the comments expressed in paragraph 33 of the report of the Advisory Committee and of the relevant General Assembly decisions, including resolution 47/202 C of 22 December 1992;

(h) To reflect all savings to be achieved and all additional costs to be incurred as a result of the restructuring, in accordance with the second paragraph of the introduction of the report of the Secretary-General and paragraphs 25 to 27 of the report of the Advisory Committee;

20. Notes that the resources allocated to the departments involved in the restructuring will be reviewed in the context of the established procedures for the preparation of the programme budget for the biennium 1994-1995 with a view to ensuring effective programme delivery, taking into account the ongoing elaboration of workload standards and other management techniques as requested in section I of resolution 47/212;

21. Invites the Secretary-General, in the context of the implementation of the current phase of the restructuring of the Secretariat, to consider activities related to the economies in transition in accordance with the relevant mandates contained in General Assembly resolutions and the observations of the Advisory Committee as expressed in paragraph 9 of its report;

22. Also invites the Secretary-General to ensure, in the context of the search for improved efficiency, the rationalization of the working arrangements within each department of the Secretariat in order to ensure that resources are used in the most effective way and that the programme managers are fully responsible and accountable;

23. Requests the Secretary-General to include in his report to the General Assembly at its forty-eighth session under the agenda item on the review of the efficiency of the administrative and financial functioning of the United Nations information on his efforts to improve the efficiency of the United Nations;

24. Reaffirms its request made in resolution 47/214, section V, that the Secretary-General establish a system of responsibility and accountability of programme managers and report on this to the General Assembly at its forty-eighth session;

25. Concurs with the observations of the Advisory Committee contained in paragraph 34 of its report and urges the Secretary-General to take the necessary measures to strengthen and make more effective the planning, management and administrative support within and between the departments responsible for peace-keeping operations, including the Field Operations Division, and also within the Department for Humanitarian Affairs;

26. Also concurs with the observations of the Advisory Committee contained in paragraphs 35 and 36 of its report and reiterates that transfers of resources between sections of the programme budget should be made in accordance with financial regulation 4.5 and rule 104.4;

27. Notes the intention of the Secretary-General to study the possible establishment of a D-3 level and requests him to take fully into account the observations and recommendations of the Advisory Committee as contained in its report and, in that context, concurs with the specific observation contained in paragraph 48;

28. Endorses the view of the Committee on Conferences as contained in the letter from the Chairman of the Committee to the Chairman of the Fifth Committee; 3/

29. Invites the Secretary-General, particularly with regard to the publication policy of the Organization, to ensure the provision of appropriate support to the Committee on Conferences through, inter alia, close coordination among the departments and units concerned.

ANNEX

Restructuring of the Secretariat

Revised appropriation broken down by section

(Thousands of United States dollars)

		Appropriation approved under resolution 47/220 A	Revised appropriation	Increase or (decrease) over current appropri-ation
1.	Overall policy-making, direction and coordination	34 621.7	34 290.9	(330.8)
2.	Peace-keeping operations	109 008.4	109 008.4	-
3.	Political and Security Council affairs	4 001.2	4 001.2	-
4.	Political and General Assembly affairs and secretariat services	3 261.7	2 971.1	(290.6)
5.	Disarmament	4 577.5	3 964.1	(613.4)
6.	Special political questions, regional cooperation, trusteeship and decolonization	2 851.5	2 851.5	-
7.	Elimination of apartheid	2 130.9	1 861.3	(269.6)
8.	International Court of Justice	18 485.0	18 485.0	-
9.	Legal activities	5 342.6	5 342.6	-
10.	Law of the sea and ocean affairs	2 312.9	2 022.3	(290.6)
11.	Development and international economic cooperation	14 499.1	11 360.2	(3 138.9)
12.	Regular programme of technical cooperation	40 146.2	40 146.2	-
13.	Department of International Economic and Social Affairs	13 737.6	13 177.4	(560.2)
14.	Department of Technical Cooperation for Development	6 786.3	6 786.3	-

		Appropriation approved under resolution 47/220 A	Revised appropriation	Increase or (decrease) over current appropri-ation
15.	United Nations Conference on Trade and Development	92 514.0	96 927.2	4 413.2
16.	International Trade Centre	18 489.8	18 489.8	-
17.	United Nations Environment Programme	12 832.1	12 332.3	(499.8)
18.	Centre for Science and Technology for Development	1 402.7	1 133.1	(269.6)
19.	United Nations Centre for Human Settlements (Habitat)	12 029.9	12 029.9	-
20.	United Nations Centre on Transnational Corporations	3 748.3	3 478.7	(269.6)
21.	Social development and humanitarian affairs	14 700.3	10 492.9	(4 207.4)
22.	International drug control	13 383.8	13 383.8	-
23.	Economic Commission for Africa	72 049.3	72 049.3	-
24.	Economic and Social Commission for Asia and the Pacific	55 301.9	55 301.9	-
25.	Economic Commission for Europe	42 509.8	42 509.8	-
26.	Economic Commission for Latin America and the Caribbean	67 350.7	67 350.7	-
27.	Economic and Social Commission for Western Asia	45 333.9	45 333.9	-
28.	Human rights	25 007.5	25 158.6	151.1
29.	Protection of and assistance to refugees	63 611.7	63 611.7	-
30.	Disaster relief operations	2 010.6	2 010.6	-
31.	Public information	103 006.0	111 842.0	8 836.0
32.	Conference services	106 441.4	106 150.8	(290.6)
33.	Administration and management	103 110.2	103 110.2	-

		Appropriation approved under resolution 47/220 A	Revised appropriation	Increase or (decrease) over current appropri-ation
34.	Special expenses	47 661.7	47 661.7	-
35.	Construction, alteration, improvement and major maintenance	98 850.2	98 850.2	-
36.	Staff assessment	402 034.5	401 130.6	(903.9)
37.	A. Department of Political Affairs	41 011.0	41 399.8	388.8
	B. Outer space affairs	2 074.3	2 367.1	292.8
38.	Legal activities	24 155.6	24 155.6	-
39.	A. Policy coordination and sustainable development	-	16 966.5	16 966.5
	B. Economic and social information and policy analysis	-	16 664.7	16 664.7
	C. Development support and management services	-	10 843.5	10 843.5
	D. Policy-making organs	-	2 002.1	2 002.1
	E. Department of Economic and Social Development	82 116.6	41 587.0	(40 529.6)
40.	Department of Humanitarian Affairs	9 870.7	10 216.4	345.7
41.	Administration and management	643 588.1	634 567.3	(9 020.8)
	Total	2 468 039.2	2 467 458.2	(581.0)

* * *

11. The Fifth Committee also recommends to the General Assembly the adoption of the following draft decision:

Conditions of service and compensation for officials other than Secretariat officials

The General Assembly,

Recalling its resolution 45/249 of 21 December 1990 on conditions of service and compensation for officials, other than Secretariat officials, serving the General Assembly, which, inter alia, reaffirmed that the conditions of service of officials, other than Secretariat officials, serving the General Assembly shall be separate and distinct from those of officials of the Secretariat,

Noting that the Staff Rules and Regulations are not therefore necessarily applicable to these officials,

Requests the Secretary-General to provide appropriate background information to be considered by the General Assembly at its forty-eighth session.

UNITED
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General Assembly

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A/47/933
28 April 1993

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 8

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK

Letter dated 28 April 1993 from the President of the Security Council to the President of the General Assembly

At its 3204th meeting, held on 28 April 1993, in connection with the item entitled "Participation of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the work of the Economic and Social Council", the Security Council adopted resolution 821 (1993), which reads as follows:

"The Security Council,

"Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

"Considering that the State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist,

"Recalling resolution 757 (1992) of 30 May 1992, which notes that 'the claim by the Federal Republic of Yugoslavia (Serbia and Montenegro) to continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations has not been generally accepted',

"Recalling also its resolution 777 (1992) of 19 September 1992, in which it recommended to the General Assembly that it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it shall not participate in the work of the General Assembly,

"Recalling further that the General Assembly, by resolution 47/1 of 22 September 1992, having received the recommendation of the Security Council of 19 September 1992, considered that the Federal Republic of Yugoslavia (Serbia and Montenegro) could not continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations, and therefore decided that the Federal Republic of

Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it shall not participate in the work of the General Assembly,

"Recalling further that, in its resolution 777 (1992), the Council decided to consider the matter again before the end of the main part of the forty-seventh session of the General Assembly, and that, in December 1992, the members of the Council agreed to keep the subject-matter of resolution 777 (1992) under continuous review and to consider it again at a later date (S/24924),

"1. Reaffirms that the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations, and therefore recommends to the General Assembly that, further to the decisions taken in resolution 47/1, it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) shall not participate in the work of the Economic and Social Council;

"2. Decides to consider the matter again before the end of the forty-seventh session of the General Assembly."

(Signed) Jamsheed K. A. MARKER
President of the Security Council

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S/25688
29 April 1993

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GENERAL ASSEMBLY
Forty-seventh session
Agenda item 45
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-eighth year

Letter dated 29 April 1993 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the letter addressed to you by His Excellency Mr. Osman Ertuğ, representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex would be circulated as a document of the forty-seventh session of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) Inal BATU
Ambassador
Permanent Representative

ANNEX

Letter dated 28 April 1993 from Mr. Osman Ertuğ to the Secretary-General

I have the honour to refer to the statement which was made by Mr. A. J. Jacovides, the Greek Cypriot representative, at the meeting of the Special Committee on Peace-keeping Operations on 23 April 1993. Since the Turkish Cypriot side, owing to no fault of its own, is not represented in the Committee, I am compelled to exercise our right of reply in writing.

In his statement, Mr. Jacovides paid lip service to the principles of the Charter of the United Nations and repeated, ad nauseam, the unfounded allegations of the Greek Cypriot side against Turkey and the Turkish Cypriot side. I wish to stress at the outset that the administration which he represents, with its past record and present practices, is among the least qualified to talk about violations of the Charter of the United Nations, let alone blame others for doing so.

The architects of the so-called "Akritas Plan", a notorious scheme devised by the Greek Cypriot leadership in the early 1960s and aimed at destroying the Turkish Cypriot component of the bi-national Republic of Cyprus of 1960, both politically and physically, cannot possibly have anything to say about human rights or respect for the high principles of the Charter of the United Nations.

The very title under which the Greek Cypriot representative operates today is an illegitimate one usurped by force of arms in 1963. The Greek Cypriot side has been exploiting this title to the maximum in the propaganda onslaught that it has launched against the Turkish Cypriots, particularly since 1974.

No amount of rhetoric, however, can confuse the issue or cover up the fact that it was the Greek Cypriots who practised the sinister method of "ethnic cleansing" or worse in Cyprus between 1963-1974. As a testimony to the severity of that campaign, the British newspaper The Guardian, in an article dated 16 February 1993, described the Cyprus of that period as "the mini-Bosnia of its day". (A more detailed reply to the Greek Cypriot allegations on "ethnic cleansing" can be found in document A/46/964-S/24490.) The United Nations Peace-keeping Force in Cyprus (UNFICYP) was sent to Cyprus in order to protect the Turkish Cypriots against this aggression and not to provide protection for the Greek Cypriot aggressors, as Mr. Jacovides claims.

It was ultimately Turkey's timely and legitimate intervention in 1974 which effectively checked the genocidal attacks of the Greek Cypriots and created a safe haven for the Turkish Cypriots in Northern Cyprus. The use of the term "invasion" for a rescue operation which has liberated us from an 11-year-long ordeal at the hands of the Greeks and Greek Cypriots shows utter contempt for human life on their part. It also demonstrates how far the Greek Cypriots are from identifying the true cause of the Cyprus question, which is their age-old campaign to turn Cyprus into a Greek island, and, therefore, how far they are from reaching a just and viable solution with us.

The above mentality also prevails in the remarks of the Greek Cypriot representative about the border incident of 8 April 1993. It is clear that the Greek Cypriot side prefers to exploit this unfortunate incident for political ends rather than treat it, as it should, in a humane manner. Since the facts on this incident have been amply explained in document A/47/928-S/25628, I need not repeat them here.

In conclusion, I wish to put on record the Turkish Cypriot side's indignation at the unwarranted exploitation by the Greek Cypriot side, of this occasion as a platform for malicious propaganda, and to state that with every new such instance it only exacerbates the crisis of confidence that exists between the two peoples of the island, further damaging efforts for a negotiated solution.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of Northern Cyprus

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Forty-seventh session
Agenda item 45
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-eighth year

Letter dated 29 April 1993 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of the statement issued on 28 April 1993 by the Ministry of Foreign Affairs of Turkey in connection with the attack by two Greek Cypriot gunboats against a Turkish cargo ship while sailing in international waters off the coast of southern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex would be circulated as a document of the forty-seventh session of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) Inal BATU
Ambassador
Permanent Representative

ANNEX

Statement issued on 28 April 1993 by the Ministry of Foreign Affairs of Turkey

On Wednesday, 28 April, at around 9.45 a.m., a Turkish freighter named Alp-5, which was carrying cargo to Gazimagosa port in the Turkish Republic of Northern Cyprus while sailing in international waters off the coast of Larnaca, southern Cyprus, was fired upon by Greek Cypriot gunboats and, as a result, its Captain and a crew member were injured.

This hostile act perpetrated by the Greek Cypriot gunboats against our ship in international waters was immediately brought to the attention of the authorities of the United Nations Peace-keeping Force in Cyprus (UNFICYP), whereupon the gunboats stopped firing. First-aid treatment has subsequently been given to the wounded on board by doctors who were flown in by helicopter from the British base. The ship continued its course and was expected to arrive at Gazimagosa port at around 6.30 p.m. the same day. It is clear that the interception of and armed assault against a defenceless commercial vessel sailing in the international waters is an act of piracy against all norms of international law, maritime trade and, above all, civilized conduct. The Greek Cypriot side must be aware of the serious consequences that such actions will entail.

This aggressive behaviour is being brought to the attention of the Secretary-General of the United Nations, together with the inevitable response that such acts of piracy are bound to provoke. This is another manifestation and a new example of a mentality which has up to now hindered and prevented the solution of the Cyprus question.

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SECURITY COUNCIL
Forty-eighth year

Letter dated 30 April 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the statement of the Government of the Federal Republic of Yugoslavia concerning the adoption of General Assembly resolution 47/229 of 29 April 1993 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the forty-seventh session of the General Assembly, under agenda item 8, and of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

ANNEX

Statement of the Government of the Federal Republic of Yugoslavia concerning the adoption of General Assembly resolution 47/229 of 29 April 1993

The Government of the Federal Republic of Yugoslavia expresses its deep regret at the adoption of General Assembly resolution 47/229 of 29 April 1993, by which Yugoslavia has been denied the right of participating in the work of the Economic and Social Council.

By continuing the unprecedented and unprincipled drive to punish economically and politically and isolate the Federal Republic of Yugoslavia, the latest resolution is also an incredulous example of exerting pressure on Yugoslavia to stop the civil war in Bosnia and Herzegovina to which it is not a party.

In denying the right of a founding Member State of the United Nations to participate in the work of one of its principal organs, an action which has no legal basis in the Charter of the United Nations, the General Assembly has chosen to embark upon a perilous path which may in the long run undermine the very foundations of the world Organization. The fact that more than one third of the entire membership of the United Nations either failed to support the resolution or decided not to participate in the vote clearly indicates that serious concerns and questions are being raised concerning the legality of this action.

The resolution is also an affront to the constant efforts that the Federal Republic of Yugoslavia is investing in the search for a just and lasting settlement to all aspects of the crisis and hostilities in the former Yugoslavia.

It is particularly unfortunate that such a measure is being undertaken with regard to the Economic and Social Council which, as a principal organ of the United Nations and together with its functional commissions and subsidiary bodies, serves as a basis of the international humanitarian order and as a mechanism for the protection of human rights.

Such punitive actions have been undertaken exactly at a time when the Federal Republic of Yugoslavia, its peoples and over a half a million of refugees who found shelter in its territory have been subjected to inhuman and unjustified sanctions unprecedented in the history of the United Nations. They seriously jeopardize the realization of the noble goals of economic and social development, which is indeed the essence of the mandate of the Economic and Social Council.

The decision to deny the Federal Republic of Yugoslavia the right to participate in the work of the Economic and Social Council will adversely affect not only its peoples but will, taking into account the active role and contribution of the Federal Republic of Yugoslavia in international cooperation in the social and humanitarian field, negatively affect collaboration in this area with neighbouring countries and in the region as whole. In that regard, we

particularly point out the cooperation in providing humanitarian assistance, securing basic human rights, cooperation in combating illicit trafficking in narcotic drugs, crime prevention and assistance to vulnerable groups such as women, children, invalids and the elderly.